

1 AN ACT relating to the sale of tobacco products.

2 ***Be it enacted by the General Assembly of the Commonwealth of Kentucky:***

3 ➔Section 1. KRS 438.311 is amended to read as follows:

4 (1) Except for the provisions of KRS 438.330, it shall be unlawful for a person who has
5 not attained the age of eighteen (18) years to:

6 (a) Purchase or accept receipt of or to attempt to purchase or accept receipt of a
7 tobacco product, alternative nicotine product, or vapor product;~~;~~ ~~or to~~

8 (b) Present or offer to any person any purported proof of age which is false,
9 fraudulent, or not actually his or her own, for the purpose of purchasing or
10 receiving any tobacco product, alternative nicotine product, or vapor product.

11 (2) It shall not be unlawful for *a person who has not attained the age of eighteen (18)*
12 *years*~~[such a person]~~ to:

13 (a) Accept receipt of a tobacco product, alternative nicotine product, or vapor
14 product from an employer when required in the performance of the person's
15 duties;or

16 (b) *Sell a tobacco product, alternative nicotine product, or vapor product to*
17 *persons who are age eighteen (18) or over on behalf of an employer when*
18 *required in the performance of the person's duties.*

19 ~~(3)~~~~(2)~~ This offense shall be deemed a status offense and shall be under the
20 jurisdiction of the juvenile session of the District Court.

21 ~~(4)~~~~(3)~~ All peace officers with general law enforcement authority and employees of
22 the Department of Alcoholic Beverage Control may issue a uniform citation, but not
23 make an arrest or take a child into custody, for a violation of this section. If a child
24 fails to appear in court in response to a uniform citation issued pursuant to the
25 section, the court may compel the attendance of the defendant in the manner
26 specified by law.